

Notice is hereby given by the Mayor and Town Council of the Borough of Chambersburg, Franklin County, Pennsylvania that Town Council will consider a proposed Ordinance for adoption at the regularly scheduled public meeting of the Town Council of the Borough of Chambersburg on September 8, 2014, at 7:00 p.m. The title of the proposed Ordinance is:

ORDINANCE NO. 2014 - _____

AN ORDINANCE OF THE BOROUGH OF CHAMBERSBURG, FRANKLIN COUNTY, PENNSYLVANIA, AUTHORIZING IT TO ENTER INTO AN INTERGOVERNMENTAL COOPERATION AGREEMENT WITH THE BOROUGH OF GREENCASTLE, FRANKLIN COUNTY, PENNSYLVANIA TO PERMIT THE BOROUGH OF CHAMBERSBURG TO PROVIDE CERTAIN SERVICES TO THE BOROUGH OF GREENCASTLE WITH REGARDS TO THE WATER SYSTEM.

WITNESSETH

WHEREAS, the Borough of Chambersburg (hereinafter "Chambersburg") and the Borough of Greencastle (hereinafter "Greencastle") have the authority, pursuant to 8 Pa.C.S.A. §1202 (24), and 53 Pa. C.S.A. 2301 et. seq., to enter into agreements with other political subdivisions, in accordance with existing laws, in performing government powers and duties and functions and in carrying into effect provisions of law relating to subjects which are common to such political subdivisions; and

WHEREAS, Greencastle employs personnel to operate the water treatment and distribution system owned by the Greencastle Area, Franklin County Water Authority (hereinafter "Water System"); and

WHEREAS, Greencastle desires to have resources available to provide assistance to its employees in operating the Water System on as needed basis; and

WHEREAS, Chambersburg has offered to provide assistance with the maintenance and operation of the Water System when requested by Greencastle (hereinafter "Services"); and

WHEREAS, Greencastle and Chambersburg desire to enter into an Intergovernmental Cooperation Agreement to permit Chambersburg to render the Services to Greencastle; and

WHEREAS, Greencastle and Chambersburg believe that it would be in the best interest of its respective citizens and residents to enter into this Agreement.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Mayor and Town Council of the Borough of Chambersburg, Franklin County, Pennsylvania, and it is enacted and ordained as follows:

SECTION I: AUTHORIZATION TO ENTER INTO INTERGOVERNMENTAL COOPERATION AGREEMENT ALLOWING THE BOROUGH OF CHAMBERSBURG TO PROVIDE CERTAIN SERVICES TO THE BOROUGH OF GREENCASTLE WITH REGARDS TO THE OPERATION AND MAINTENANCE OF THE WATER SYSTEM

- A. The Mayor and Town Council of the Borough of Chambersburg hereby approves the execution of an Intergovernmental Cooperation Agreement which will allow Chambersburg to provide the Services to Greencastle in accordance with the Intergovernmental Cooperation Agreement between Greencastle and Chambersburg (hereinafter "Agreement"). A true and correct copy of the Agreement is attached hereto as Exhibit "A" and incorporated herein by reference.

SECTION II: TERMS OF AGREEMENT

In accordance with § 2307 of the Intergovernmental Cooperation Act, the Mayor and Town Council of the Borough of Chambersburg hereby declares that:

- A. Chambersburg shall provide Services to Greencastle on an as needed basis subject to and in accordance with the conditions of the Agreement.
- B. Chambersburg, through the Water and Sewer Superintendent, and Greencastle, through the Borough Manager, shall agree upon a list of Chambersburg personnel who may provide services to Greencastle.
- C. Greencastle shall pay Chambersburg for services rendered by personnel of Chambersburg in accordance with the Agreement.
- D. The personnel of the Chambersburg's compensation, benefits, insurance coverage, unemployment, pension, workers' compensation coverage, any other costs and/or expenses, employment and discharge shall be the sole responsibility of Chambersburg and not of Greencastle.
- E. The personnel of Chambersburg shall be under the direct supervision and control at all times of the Town Council of the Borough of Chambersburg and not of Greencastle or its agents or employees.
- F. The Agreement shall become effective when signed by Greencastle and Chambersburg and upon the effective date of this Ordinance. The term of the Agreement shall be for a term of one (1) year and shall be deemed automatically renewed for additional one (1) year terms until terminated by either party as set forth in the Agreement.

SECTION III: PAYMENT SOURCE

The payments made to Chambersburg shall be funded through the operational reimbursement that the Greencastle Area, Franklin County Water Authority remits to Greencastle.

SECTION IV: SEVERABILITY

If any sentence, clause, section, or part of this Ordinance is for any reason found unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts hereof. It is hereby declared the intent of the Mayor and Town Council of the Borough of Chambersburg that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included therein.

SECTION V: EFFECTIVE DATE

This Ordinance shall take effect on September 8, 2014.

ENACTED AND ORDAINED, this 8th day of September, 2014.

ATTEST:

Allen B. Coffman
President of Town Council

Kristine Baker
Assistant Secretary of Town Council

Darren Brown
Mayor